

UNITED STATES BANKRUPTCY COURT
FOR THE MIDDLE DISTRICT OF PENNSYLVANIA

IN RE: JOSE L. ROMAN PADILLA : CHAPTER 13
Debtor(s) :
 :
 :
CHARLES J. DEHART, III :
STANDING CHAPTER 13 TRUSTEE :
Movant :
 :
 :
vs. :
 :
 :
JOSE L. ROMAN PADILLA :
Respondent(s) : CASE NO. 5-19-bk-04446

TRUSTEE'S OBJECTION TO CHAPTER 13 PLAN

AND NOW, this 13th day of January, 2020, comes Charles J. DeHart, III, Standing Chapter 13 Trustee, and objects to the confirmation of the above-referenced debtor(s)' plan for the following reason(s):

1. The Trustee avers that debtor(s)' plan is not feasible based upon the following:

- a. The plan is underfunded relative to claims to be paid – will be underfunded if/when claim is filed by PHFA for the amount provided for in the plan.
- b. The plan is inconsistent with Proofs of Claims filed and/or approved by the Court.

2. Trustee avers that debtor(s)' plan is not feasible and cannot be administered due to the lack of the following:

- a. Proof of Claim for PHFA – Account No. 9049.

WHEREFORE, Trustee alleges and avers that debtor(s) plan is nonconfirmable and therefore Trustee prays that this Honorable Court will:

- a. Deny confirmation of debtor(s) plan.
- b. Dismiss or convert debtor(s) case.
- c. Provide such other relief as is equitable and just.

Respectfully submitted:

/s/Charles J. DeHart, III
Standing Chapter 13 Trustee
8125 Adams Drive, Suite A
Hummelstown, PA 17036
(717) 566-6097

CERTIFICATE OF SERVICE

AND NOW, this 21st day of January, 2020, I hereby certify that I have served the within Objection by electronically notifying parties or by depositing a true and correct copy of the same in the United States Mail at Harrisburg, Pennsylvania, postage prepaid, first class mail, addressed to the following:

Tullio DeLuca, Esquire
381 N. 9th Avenue
Scranton, PA 18504

/s/Deborah A. Behney
Office of Charles J. DeHart, III
Standing Chapter 13 Trustee